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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,) No. CR 11-00420 – EJD
13 Plaintiff,)
14 v.)
15 CARLOS LINARES-MARTINEZ,)
16 Defendant.)

)

STIPULATION

Defendant and the government, through their respective counsel, hereby stipulate, subject to the Court's approval, that the sentencing hearing currently set for June 18, 2012, be continued to August 6, 2012. The reasons for the stipulation follow. The A-file in this case is voluminous. In addition, the defense has provided the United States Probation Officer with various investigative reports, and a lengthy letter setting forth its views on the case and the defendant's prior criminal record. An interview in this case is in the defendant's interest. However, due to scheduling issues and forced cancellation of calendared interview date due to jail visiting room unavailability, the Probation Officer has not had an opportunity to interview Mr. Linares. The parties were rescheduled to conduct the interview on May 29, 2012, but

1 because of a jail lock-down, they were not able to conduct the interview. Because of the above
2 a preliminary presentence report has not been prepared and it is not expected that a report
3 could reasonably be ready by June 18, 2012. Defense counsel has discussed the continuance
4 with United States Probation Officer Benjamin Flores, and he has indicated that August 6,
5 2012, is an acceptable date for the sentencing hearing.

6 Dated: May 29, 2012

7 _____/s/
8 MANUEL U. ARAUJO
9 Assistant Federal Public Defender

10 Dated: May 29, 2012

11 _____/s/
12 CAROLYNE A. SANIN,
13 Special, Assistant United States Attorney

14 [PROPOSED] ORDER

15 WHEREFORE, based on the above, the COURT HEREBY ORDERS that the
16 sentencing date in the above-captioned case is moved from June 18, 2012 to August 6, 2012.
17 at 1:30 PM

18 DATED: May 30, 2012

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21 HONORABLE EDWARD J. DAVILA,
22 United States District Court Judge

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